

NOTICE AND AGENDA
Apple Valley Utah
Planning Commission- Meeting and Hearing

Public notice is given that the Planning Commission of the Town of Apple Valley, Washington County, Utah will hold a **Planning Commission- Meeting and Hearing on Wednesday, May 22, 2019** at the **Apple Valley Town Hall**, 1777 N. Meadowlark Dr., Apple Valley, Utah, commencing at 6:00 PM. or shortly thereafter. In accordance with state statute, one or more members may be connected via speakerphone.

The Agenda for the meeting is as follows:

Call to Order/ Pledge of Allegiance/ Roll Call

Hearing on the Following:

- A. Adoption of Town Code Amendments from Website Codification

Discussion and Action Items:

- B. Recommendation of Planning Commission on the Town Code Codification Amendments
- C. Land Use Code Revision for 10.28.240. Limitation on Height, Size and Location of Garages and Other Accessory Buildings in Residential Zones.

Approval of Minutes:

- D. Minutes for March 27th, 2019

Adjournment

Interested persons are encouraged to attend public hearings or present their views in writing at least one day prior to the meeting.

CERTIFICATE OF POSTING: I, Michelle Kinney, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Hearing notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town Website www.applevalleyut.gov on the **22nd day of May, 2019**.

Dated this 22nd day of May, 2019

Michelle Kinney, Recorder

Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS. MEETINGS

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should notify Michelle Kinney at 435-877-1190.

Item Attachment Documents:

- C. Land Use Code Revision for 10.28.240. Limitation on Height, Size and Location of Garages and Other Accessory Buildings in Residential Zones.

10.28.240 Limitations on Height, Size And Location Of Garages And Other Accessory Buildings In Residential Zones

In an effort to avoid the appearance of commercial style buildings in residential zones, and to protect the character and stability of residential neighborhoods, the following requirements for garages and other accessory buildings located in residential zones are provided:

A. Maximum Garage Height:

~~4.~~ No detached garage shall be higher than twenty ~~five~~ feet (~~25~~ ~~feet~~), measured from finish grade to the highest point of its roof ~~or higher than the highest point of the roof of the primary building, whichever is less. Exception: Detached garages located a minimum of forty feet (40') from the primary building may be twenty feet (20') maximum height regardless of the height of the primary building.~~

~~2-1.~~ No attached garage shall be higher than the highest point of the primary building.

B. Number Of Garages: A maximum of one attached and one detached garage may be allowed on each lot in association with a primary residential dwelling unit.

C. Maximum Accessory Building Height: No accessory building, with the exception of detached garages, including agricultural use accessory buildings, shall be higher than fifteen feet (15'), measured from average finished grade, unless a higher finished grade is required by the city for proper drainage, in which case, it will be measured from the finished grade.

D. Size, Location and Construction of Attached and Detached Garages and other Accessory Buildings in Residential Zones:

~~3-2.~~ The total square footage of any attached garage and non-living space shall not be greater than fifty percent (50%) of the square footage of the ~~footprint of the~~ primary structure, excluding the attached garage.

~~4-3.~~ The total square footage of any detached garage or other accessory building, including agricultural use accessory buildings, shall not be greater than fifty percent (50%) of the ~~footprint of the~~ square footage of the primary structure, including the attached garage. Note: Habitable space located in the attic areas of detached garages shall be included in the total square footage.

~~5-4.~~ The cumulative total square footage of any attached garage, detached garage and all other accessory buildings, including agricultural use accessory buildings, shall not be greater than twenty five percent (25%) of the rear yard. For the purposes of this section, the "rear yard" is defined as the area located behind the rear wall line of the primary structure. Note: Habitable space located in the attic areas of detached garages or other accessory buildings shall be included in the total square footage.

~~6-5.~~ All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building, and the setback requirements applicable to the primary building shall apply.

~~7-6.~~ All garages and other accessory buildings located ten feet (10') or more away from the primary building shall be considered detached, and may be located no less than

Comment [1]: agree

Comment [2]: Does the square footage account for a possible attached lean to roof?

Comment [3]: agree

Comment [4]: agree

Comment [5]: Attached garages should be no higher than the highest point of the primary building. Reason this will discourage larger building on modular homes.

Comment [6]: it has been brought to attention of PC that attached garages on flat roof or one story homes need a larger garage for RV's Could we take care of this as a detached garage?

Comment [7]: just take out A-2

Comment [8]: Or make it the same as A-1

Comment [9]: agree

Comment [10]: agree

three feet (3') from the side or rear property line. ~~N~~ ~~and no~~ portion of any garage or accessory building, including any roof overhangs, shall be allowed within one foot (1') of any property line.

8.7. ~~_____~~ No detached garage or other accessory buildings shall be located in any required front yard. ~~set-back.~~

Comment [11]: agree

Comment [12]: I am opposed to any accessory building in the front yard...Janet's suggestion of allowing them in side yards is feasible. If we do that, we need to change 10.28.090 that says "required yard shall be open to sky...except for accessory buildings in a REAR YARD". (and maybe other places?)

Comment [13]: agree

Comment [14]: No detached garage or other accessory buildings shall be located in any required front yard.

Exception: Unless the residence is built on a rim or against a cliff, then special consideration will be taken to meet the needs of said home owners to use their side lots. However these garages and accessory builds must blend with the primary residence.

Item Attachment Documents:

D. Minutes for March 27th, 2019

OPENING

Chairperson Browning brought the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

ROLL CALL/PRESENT

Chairperson Browning
Commissioner Forrest Kuehne
Commissioner Janet Prentice

Town Recorder Michelle Kinney

EXCUSED

Commissioner Wenn Jorgensen
Commissioner Blake Seese

OTHERS

Alternate Commissioner Lee Fralish

Fire Chief
Mayor Marty Lisonbee
Council Member Debbie Kopp
Council Member Denny Bass
Margie Ososki SW Mosquito Board
Council Member Edwardsen

PUBLIC HEARINGS

A. HEARING ON ZONE CHANGE AV-1365-K FROM OST TO RE5 FOR RICHARD AND DEBBIE KOPP

OPEN HEARING:

MOTION: Chairman Browning moves to open hearing for zone change AV-1365-K from OST- RE5

SECOND: Commissioner Prentice
VOTE: Chairperson Browning called for a vote:

Commissioner Kuehne-	Aye
Chairperson Browning -	Aye
Commissioner Prentice-	Aye

The vote was unanimous and the motion carried.

Rich Kopp- they would like to build a home and therefore need to change the zone.

CLOSE HEARING:

MOTION: Commissioner Kuehne moves to close the public hearing for zone change for AV-1365-K from OST to RE5, Richard and Debbie Kopp.

SECOND: Chairperson Browning

VOTE: Chairperson Browning called for a vote:

Commissioner Kuehne-	Aye
Chairperson Browning -	Aye
Commissioner Prentice-	Aye

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION:

B. ZONE CHANGE FROM FOR AV-1365-K FROM OST TO RE5 FOR RICHARD AND DEBBIE KOPP

MOTION: Commissioner Prentice motions to send this to the town council for zone change for AV-1365-K to town council for approval

SECOND: Commissioner Kuehne

VOTE: Chairperson Browning called for a vote:

Commissioner Kuehne-	Aye
Chairperson Browning -	Aye
Commissioner Prentice -	Aye

The vote was unanimous and the motion carried.

DISCUSSION AND POSSIBLE ACTION

C. AMENDMENT OF 10.25.240 GARAGE SIZE LIMITS

Mayor Lisonbee discusses how we currently have garages that can be no larger than 50% of the footprint of the home. Shows pictures of garages from Dixie Springs area in Hurricane.

Rich Kopp- Before the parade of homes he was set against this. He is afraid that it will be metal buildings. But if the garages match the house then they should be allowed.

Margie Ososki- She is concerned about people running businesses out of large garages.

Richard Fischer-mentions these people would need to have a business license and there is a difference between a home office and a home business.

Frank Lindhardt- Makes a recommendation that we just double what is currently on the books to become 100% footprint of size of home. On the Detached, he thinks the size should be limited based on the size of the lot.

Chairperson Browning mentions that with amendments and we still need to have a hearing.

Commissioner Kuehne discusses and reads from the changes that mayor had marked. The street from the house is the front yard no matter the direction of the house.

Prentice motions to amend in a work meeting on 10.25.240 and then have a public hearing with the finished product.

There is discussion about where the front setback is located and what is considered the front of the home.

Commissioner requests that the Recorder add this to a google doc's document for the commission to review and make comments on. They will then follow up with a work meeting.

PRESENTATION

D. JEPSON CANYON LAND OF MANY NATIONS MASTER PLAN PRESENTATION

Time Stamp 35:00

Cynthia turns the time over to Jepson Canyons David Calder for a presentation about the Jepson Canyon Project.

Land of Many Nations will be the first phase of this development with a gift shop, Amphitheatre and restaurant. People will be staying overnight in Teepee's. They will build a million gallon water tank on the hill and turn that over to the town. This water tank will be regulated by a hydroelectric plant. In future phases there will be a lodge, wellness center, Geological center, Challenger center (where kids can be an astronaut for a day), spa, golf course with pro-shop, bronze stage coach exhibit, science center with an observatory and neighborhoods with luxury homes. They will use downward light make dark sky lighting a priority. There will be a waste water treatment system for this community. They would like to use solar windows as solar panels.

Commissioner Kuehne asks if this is a planned development. Yes this will be PDR and PDC.

ADJOURNMENT

MOTION: Commissioner Prentice motions to adjourn

SECOND: Chairperson Browning

VOTE: Chairperson Browning called for a vote:

Commissioner Kuehne- Aye

Chairperson Browning - Aye

Co-Chairperson Janet Prentice- Aye

The vote was unanimous and the motion carried

Meeting adjourned at 7:08 pm.

Date approved: _____

Chairperson Browning

ATTEST BY: _____
Michelle Kinney, Recorder